

Appln No. 10/694,118
Amdt date November 10, 2006
Reply to Office action of August 10, 2006

REMARKS/ARGUMENTS

Claims 1-42 remain pending in this application. Applicants have amended the claims to place them in condition for allowance. In particular, Applicants have amended independent claim 1. The amendments find full support in the original specification, claims and drawings. No new matter is presented. Applicant submits that all of pending claims 1-42 are in condition for allowance, and therefore respectfully requests a timely indication of allowance.

In the Final Rejection dated August 10, 2006, the Examiner rejected claims 1-18, 23-33 and 36-42 under 35 U.S.C. § 103(a) as allegedly obvious over Abele, et al. (U.S. Patent No. 5,403,311) in view of Mulier, et al. (U.S. Patent No. 6,016,809). However, Applicant has amended independent claim 1 to recite a catheter comprising a catheter body and a needle electrode assembly at the distal end of the catheter body, the needle electrode assembly comprising a proximal tubing and distal tubing, wherein the proximal tubing is more flexible than the distal tubing. Neither Abele nor Mulier teach or suggest such a feature.

The Examiner asserts that Abele discloses a "needle assembly comprising a proximal tubing (30) and distal tubing (36), wherein the proximal tubing is more flexible than the distal tubing." Office action, page 2. However, component 30 identified in Abele is a braided layer of the catheter body (identified by reference numeral 28), and is not a part of component 36, which is a needle tip. See column 5, lines 62-65 and column 6, lines 27-28. Abele does not disclose a catheter comprising a catheter body *and* a needle electrode assembly at the distal end of the catheter body, the needle electrode assembly comprising a proximal tubing and distal tubing, as recited in amended independent claim 1. Accordingly, independent claim 1, and all claims dependent therefrom, including claims 2-18, 23-33 and 36-42, are allowable over Abele and Mulier.

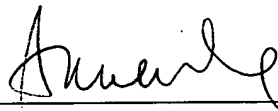
The Examiner also rejected claims 19-22, 34 and 35 under 35 U.S.C. § 103(a) as allegedly obvious over Abele in view of Mulier and further in view of either Stevens, et al. (U.S. Patent No. 6,866,650) or Tu, et al. (U.S. Patent No. 6,033,402). However, each of claims 19-22, 34 and 35 depends from independent claim 1. Neither Stevens nor Tu remedy the deficiencies of

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Abele and Mulier because neither reference teaches or suggests a catheter comprising a catheter body and a needle electrode assembly at the distal end of the catheter body, the needle electrode assembly comprising a proximal tubing and distal tubing, as recited in amended independent claim 1. Accordingly, independent claim 1, and all claims dependent therefrom, including claims 19-22, 34 and 35, are allowable over Abele, Mulier, Stevens and Tu.

In view of the above amendments and remarks, Applicants submit that all of pending claims 1-42 are in condition for allowance. Applicants therefore respectfully request a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicants invite the Examiner to contact Applicants' counsel at the number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Anne Wang
Reg. No. 36,045
626/795-9900

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